



FOURTH JUDICIAL DISTRICT OF THE STATE OF MINNESOTA

***Domestic Violence Court: Case Processing Update and  
Recidivism Analysis***

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## Executive Summary

This report is an evaluation of case processing and recidivism outcomes for the Minneapolis Domestic Violence Court. The court was created on November 13, 2000, with several primary goals, including *expedited case processing* and a *reduction in defendant recidivism*. The following paragraphs provide a brief summary of what is contained in this report.

***Case Processing and Disposition Results:*** Our analysis shows that Minneapolis Domestic Violence court cases are being processed more quickly than similar cases were in the past, and much more quickly than suburban cases. In addition, the cases which involve romantic relationships between defendants and victims are experiencing the shortest length of case processing time. In terms of dispositions, the conviction rate in Minneapolis has increased by nearly 20% when compared with similar cases in the past, and the conviction rate for romantic relationship cases is 20% higher than for other cases heard in Domestic Violence Court.

***Recidivism Results:*** We found that pretrial recidivism (new charges) for domestic assault is down slightly in Minneapolis since 1998, as is post-disposition recidivism. When we define post-disposition recidivism as new convictions rather than new charges, we find that domestic assault defendants did have less new convictions overall, but the rate of new domestic assault convictions did not change. In the suburbs, recidivism (new charges) has increased since 1998, but recidivism at the conviction level has decreased slightly. Recidivism rates for Minneapolis defendants involved in a romantic relationship with their victims were higher than for those in non-romantic relationships.

Analysis of correlations showed that there is a statistically significant relationship between exposure to Domestic Violence Court and a lower propensity to be charged with new domestic assault offenses. There are also strong correlations between number of prior domestic assault convictions and recidivism. Finally, correlation analysis showed that an empirical relationship exists between a defendant scoring higher on the Domestic Violence Screening Instrument (DVSI) and his/her risk of being charged with a new domestic assault offense.

### Background

On November 13, 2000, the new Domestic Violence Court in Minneapolis, Minnesota began hearing cases. This calendar was developed after many months of planning by the Fourth Judicial District Bench, in concert with its criminal justice and community partners, including prosecutors, public defenders, probation supervisors, law enforcement, and domestic violence advocates. The calendar hears both arraignments and pretrial hearings for in-custody and out-of-custody misdemeanor domestic violence cases.

The Minneapolis Domestic Violence Court calendar was created with several primary goals in mind:

- *Improve the efficiency with which Domestic Violence Court cases are processed and resolved*
- *Reduce recidivism and non-compliance with court conditions among Domestic Violence Court defendants*
- *Increase victims' level of satisfaction with the way in which the court handles domestic violence cases*

There have been several evaluations of Domestic Violence Court completed already. In October 2001, a preliminary evaluation of case processing times and dispositions was distributed. In March 2002, we distributed the results of a telephone survey of victims involved in Domestic Violence Court cases. And most recently, we completed a report which describes the results of a survey of Domestic Violence Court defendants, regarding whether or not they understand their court conditions. All three of

these reports are available from the Hennepin County District Court Research Division upon request.

This new report serves two purposes:

- ✓ *To update the case processing and disposition outcomes*
- ✓ *To report recidivism outcomes for Domestic Violence Court defendants*

### *Case Processing and Disposition Analysis*

#### *Sampling Design:*

Our analysis includes cases filed and heard in Domestic Violence Court between January 1, 2001 and September 30, 2001 compared to similar domestic violence cases that were filed and heard in Hennepin County District Court's downtown Minneapolis division three years earlier (i.e., January 1 – September 30, 1998), before the Domestic Violence Court. Since the Domestic Violence Court is only active in downtown Minneapolis, this is a direct comparison of similar cases processed differently.

At the same time, we also analyzed all Domestic Violence Court cases heard in Hennepin County's suburban divisions (where cases are not heard in a dedicated domestic violence calendar).<sup>1</sup> To be consistent with the Minneapolis analysis, we compared suburban cases filed and heard between January 1 and September 30, 2001, and compared them with those filed and heard between January 1 and September 30, 1998. The suburban analysis allows us to examine historical differences that may have occurred between the years of interest.

For the purposes of this analysis, we have defined domestic violence as any type of case that would be heard in Domestic Violence Court. This includes: gross

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<sup>1</sup> Even though Domestic Violence Court did not hear suburban cases, we expected to see some residual improvements in case processing efficiency because of the increased awareness of domestic violence by the bench and other system players during the start-up of the Minneapolis calendar.

misdemeanor assault on a family member, misdemeanor domestic assault (also known as fifth degree assault), violation of a protection order, harassment/stalking, interference with emergency 911 calls<sup>2</sup>, and a small number of other assaults and cases that involve obstructing the legal process.

The Minneapolis Domestic Violence Court hears first appearances (i.e., arraignments) for all of the above cases, regardless of the relationship between the defendant and victim. However, the Minneapolis City Attorney's office (i.e., prosecutors) flags cases where there has been a "romantic relationship" identified between the defendant and victim. These cases remain in the Domestic Violence courtroom for their second (i.e., pretrial) appearance. The non-romantic cases that are not settled at arraignment have their pretrial and any subsequent appearances in a different courtroom, so that the Domestic Violence Court players can focus their attention specifically on the romantic relationship cases. For this reason, we present the analysis two ways: for all cases<sup>3</sup> arraigned in Domestic Violence Court, and for just those cases flagged as "romantic relationship" cases.

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<sup>2</sup> Cases with the main charge of "Interference with emergency 911 call" also had secondary domestic assault charges. Analysis for tables used the main charge for each case, with the exception of the disposition analysis which looked at the charge associated with the most severe disposition.

<sup>3</sup> We analyzed outcomes for the non-romantic relationship cases as well, simply because they have had contact with the Domestic Violence Court also and may also benefit from expedited case processing. While the dynamics of the defendant/victim relationship may be completely different, the role that the criminal justice system has in preventing future violence can be evaluated with these cases as well.

### Results of Case Processing Analysis

As seen in Table 1, filings in Minneapolis have decreased 29% since prior to the start of Domestic Violence Court, but have increased slightly (2%) in the suburbs. The breakdown of the location of domestic violence cases is now nearly equally split between downtown and the suburbs.

**Table 1. How Many Domestic Violence Cases Were There?**

	<i>1998</i>	<i>2001</i>	<i>% change</i>
<i>Minneapolis</i>	2,391 cases 61.6%	1,699 cases 52.7% <sup>4</sup>	-28.9%
<i>Suburbs</i>	1,488 cases 38.4%	1,522 cases 47.3%	+2.3%
<i>TOTAL</i>	3,879 cases 100%	3,221 cases 100%	-17.0%

The majority of domestic violence cases in Hennepin County are tab charged,<sup>5</sup> which means that the case does not need to be formally charged by city attorney complaint to proceed (see Table 2). This practice is different than many other jurisdictions, and explains the dramatic difference in dismissal rates between Minneapolis and similar size jurisdictions outside of Minnesota. Even within Minnesota, differences exist in the use of tab charging. In other jurisdictions, where cases are not tab charged, the prosecutor's office has the ability to decline charging a case, which would result in a case declination rather than a case dismissal. In Minneapolis, prosecutors who decide not to go forward with a case (due to lack of evidence, or lack of victim/witness cooperation) are often forced to dismiss cases that have already been tab charged by police officers.

<sup>4</sup> In each table, the shaded box represents cases heard on the Domestic Violence Court calendar.

<sup>5</sup> Tab charges are warrantless, misdemeanor arrests by law enforcement.

The number of cases tab charged has dropped significantly since the start of Domestic Violence Court. Much of this drop has to do with the overall increase in gross misdemeanor cases, which cannot be tab charged (see Table 3). Gross misdemeanors have increased 68% overall (because of statutory changes for domestic violence cases, including enhancements) and have more than tripled in Minneapolis between 1998 and 2001. But even among misdemeanors, 34% less are being filed in Minneapolis in 2001 than in 1998. This means that since the implementation of Domestic Violence Court, Minneapolis prosecutors are able to be involved at an earlier point in time for many domestic violence cases and, theoretically, build a better case than they would have been able to in 1998.

**Table 2. How Were Domestic Violence Cases Charged?**

<i>Charging</i>	<i>Minneapolis</i>		<i>Suburbs</i>	
	1998	2001	1998	2001
<i>Tab Charged</i>	2,285	1,310	1,167	863
	95.6%	77.3%	79.1%	56.9%
<i>Charged by Complaint</i>	105	384	308	653
	4.4%	22.7%	20.9%	43.1%

**Table 3. How Many Cases of Each Type of Misdemeanor Were There?**

<i>Degree</i>	<i>Minneapolis</i>			<i>Suburbs</i>		
	1998	2001	% change	1998	2001	% change
<i>Gross Misdemeanors</i>	40	135	+238%	238	331	+39%
<i>Misdemeanors</i>	2,351	1,564	-34%	1,250	1,191	-5%

As seen in Table 4, Domestic Violence Court has decreased the overall length of time from offense to case resolution by three days for cases originating in Minneapolis. However, the period of time over which the court has influence – the average length of

time from case filing (i.e. court acceptance) to case resolution – has shortened by nearly a week since the start of the Domestic Violence Court. The time that it takes to charge and file the case (often a prosecutorial decision) has increased in Minneapolis by an average of three days. In short, it seems that while the reduction in numbers of cases tab charged increases the length of time from offense to filing, it ultimately results in a shorter length of time to resolution once the case actually comes to court. In contrast, the length of time for case processing in the suburbs has increased since 1998, from an average of 76 days total to 82 days. Time from case filing to resolution increased from 60 to 63 days. The number of hearings has remained consistent in both Minneapolis and the suburbs at approximately 3 hearings per case.<sup>6</sup>

Although not presented in Table 4, we did perform an outlier analysis on the timing indicators, to derive adjusted averages for each indicator. Adjusted averages are often regarded by statisticians as a truer picture of a phenomenon, as they remove the cases that take so long that they skew the rest of the data. After removing these statistical outliers, we found that the differences between 1998 and 2001 for Minneapolis and the suburbs did not change, but the total number of days did. The adjusted average number of days from court acceptance to case resolution for Minneapolis was 37 days in 1998 and 31 days in 2001. In the suburbs the adjusted averages were 54 days in 1998 and 57 days in 2001.

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<sup>6</sup> One other point should be noted here: when we remove the summer months from the analysis, all lengths of time between case filing and resolution drop, both in 1998 and 2001, and in Minneapolis as well as the suburbs. In general, Minneapolis cases take between 3-4 weeks from filing to resolution and suburban cases take a little over a month. Because of court scheduling to accommodate summer vacations the length of time increases across the board when the summer months are added into the analysis.



**Table 4. How Long Did It Take to Resolve Domestic Violence Cases?**

\*\*\*For All New Cases Resolved By End of September of Each Year\*\*\*

Case Type (Disposed Cases Only)	Average Time from Offense to Court Acceptance				Average Time from Court Acceptance to Case Resolution				Average Number of Appearances to Case Resolution			
	Minneapolis		Suburbs		Minneapolis		Suburbs		Minneapolis		Suburbs	
	1998	2001	1998	2001	1998	2001	1998	2001	1998	2001	1998	2001
	2,341 cases	1,659 cases	1,432 cases	1,470 cases	2,341 cases	1,659 cases	1,432 cases	1,470 cases	2,341 cases	1,659 cases	1,432 cases	1,470 cases
Gross Misdemeanor Assault on Family Member	46 days	37 days	16 days	21 days	56 days	48 days	57 days	66 days	4 hearings	4 hearings	4 hearings	4 hearings
Misdemeanor Domestic Assault	2 days	4 days	12 days	14 days	41 days	34 days	54 days	59 days	3 hearings	3 hearings	3 hearings	3 hearings
Violation of Protection Order	12 days	21 days	39 days	38 days	56 days	44 days	86 days	81 days	4 hearings	3 hearings	3 hearings	3 hearings
Other Assault	N/A	1 day	N/A	9 days	N/A	4 days	N/A	88 days	N/A	3 hearings	N/A	5 hearings
Obstructing Legal Process	N/A	1 day	N/A	7 days	N/A	59 days	N/A	46 days	N/A	3 hearings	N/A	3 hearings
Harassment/Stalking	281 days <sup>7</sup>	56 days	N/A	48 days	85 days	74 days	104 days	84 days	3 hearings	5 hearings	4 hearings	4 hearings
Interference with Emergency 911 Calls	28 days	7 days	13 days	19 days	73 days	43 days	70 days	63 days	3 hearings	3 hearings	3 hearings	3 hearings
AVERAGE ACROSS CASE TYPES	3 days	6 days	16 days	19 days	42 days	36 days	60 days	63 days	3 hearings	3 hearings	3 hearings	3 hearings

**TOTAL DAYS FROM COURT ACCEPTANCE TO CASE RESOLUTION FOR MINNEAPOLIS CASES**

1998: 42 days      2001: 36 days

**TOTAL DAYS FROM COURT ACCEPTANCE TO CASE RESOLUTION FOR SUBURBAN CASES**

1998: 60 days      2001: 63 days

<sup>7</sup> This category represented only 5 cases in Minneapolis in 1998, which means this timing indicator should be interpreted with caution.

For cases determined by the Minneapolis city attorney's office to involve a romantic relationship between the defendant and the victim, the case processing time improvements were even more substantial (see Table 5). The average length of time to make a prosecutorial decision was only four days, as compared with twelve days for the non-romantic Minneapolis cases. The average length of time from court acceptance to case resolution was thirty-five days, five days less than the time to resolve non-romantic relationship cases.

**Table 5. Minneapolis 2001 Disposed Cases Only, Case Processing Indicators by Relationship Type**

	<i>Average Time from Offense to Court Acceptance</i>	<i>Average Time from Court Acceptance to Case Resolution</i>	<i>Average Number of Hearings</i>
<i>Non-romantic relationship cases</i>	12 days	40 days	3 hearings
<i>Romantic relationship cases</i>	4 days	35 days	3 hearings

***TOTAL DAYS FROM COURT ACCEPTANCE TO CASE RESOLUTION***

***Romantic Relationships: 35 days***

***Non-romantic Relationships: 40 days***

**Results of Disposition Analysis**

Often when a new court initiative results in reduced case processing times, critics point to an increase in the case dismissal rate which could explain the expediency of case processing. This is obviously not the case for the Minneapolis Domestic Violence Court, as the dismissal rate for these types of Minneapolis cases has dropped over 23% since 1998, and the conviction rate is up nearly 18% during the same time frame that the case processing time has been reduced (see Tables 6 and 7). The dismissal rate has risen slightly in the suburbs since 1998. Overall, however, the conviction rate in 2001 for domestic violence cases in Hennepin County is up nearly 12% since 1998. This is likely

because of the increased number of complaints filed by prosecutors on many cases that in the past would have been tab charged and eventually dismissed for lack of evidence.

While the conviction rate for Minneapolis cases is up 18% since 1998, the conviction rate for suburban cases is down 4% for the same time period. Dismissal rates are complimentary and roughly equivalent; down 23% for Minneapolis, and up 3% for the suburbs. Overall, the conviction rate in the suburbs is nearly 20% higher than for Minneapolis in 2001. This is likely due to demographics, including less transience of victims and witnesses in the suburbs. In addition, there are nearly three times as many gross misdemeanors in the suburbs in 2001 as there are in Minneapolis. Gross misdemeanors are typically more complex cases which necessitate a longer case processing time and generally result in more convictions.

**Table 6. How Were Domestic Violence Cases Disposed?<sup>8</sup>**

<i>Disposition</i>	<b>Minneapolis</b>		<b>Suburbs</b>	
	<i>1998</i>	<i>2001</i>	<i>1998</i>	<i>2001</i>
<i>Found/Pled Guilty</i>	637 27.2%	748 45.1%	975 68.1%	942 64.1%
<i>Continued for Dismissal<sup>9</sup></i>	153 6.5%	198 11.9%	235 16.4%	256 17.4%
<i>Acquittal</i>	0 0%	2 <1%	1 <1%	2 <1%
<i>Dismissal</i>	1,551 66.2%	711 42.9%	221 15.4%	270 18.4%
<i>TOTALS</i>	2,341 100%	1,659 100%	1,432 100%	1,470 100%

<sup>8</sup> For cases disposed by September of each respective year.

<sup>9</sup> Cases that are continued for dismissal are those in which the defendant is given court conditions for a specified period of time (usually one year). After that period of time, if the defendant has complied with his court conditions, the case is dismissed.

**Table 7. How Was Each Case Type Resolved?<sup>10</sup>**

Case Type (Disposed Cases Only)	Found or Pled Guilty				Continued for Dismissal				Acquittal				Dismissal			
	Minneapolis		Suburbs		Minneapolis		Suburbs		Minneapolis		Suburbs		Minneapolis		Suburbs	
	1998	2001	1998	2001	1998	2001	1998	2001	1998	2001	1998	2001	1998	2001	1998	2001
Gross Misdemeanor Assault on Family Member	11 55%	23 58%	57 76%	48 76%	0 0%	0 0%	3 4%	2 3%	1 5%	0 0%	1 1%	1 2%	8 40%	17 43%	14 19%	12 19%
Misdemeanor Domestic Assault	568 26%	629 43%	711 69%	638 66%	139 6%	190 13%	179 17%	181 19%	0 0%	1 <1%	0 0%	1 <1%	1,496 68%	636 44%	142 14%	152 16%
Violation of Protection Order	52 50%	37 50%	84 49%	82 43%	9 9%	2 3%	39 23%	43 23%	0 0%	1 1%	0 0%	0 0%	43 41%	34 46%	48 28%	64 34%
Other Assault	0 0%	1 100%	0 0%	1 100%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Obstructing Legal Process	0 0%	1 20%	0 0%	1 25%	0 0%	0 0%	0 0%	1 25%	0 0%	0 0%	0 0%	0 0%	0 0%	4 80%	0 0%	2 50%
Harassment/ Stalking	1 20%	6 100%	14 67%	19 83%	2 40%	0 0%	3 14%	0 0%	0 0%	0 0%	0 0%	0 0%	2 40%	0 0%	4 19%	4 17%
Interference with Emergency 911 Calls	5 50%	51 66%	109 82%	153 70%	3 30%	6 8%	11 8%	29 13%	0 0%	0 0%	0 0%	0 0%	2 20%	20 26%	13 10%	36 17%
<b>TOTALS</b>	637 27%	748 45%	975 68%	942 64%	153 7%	198 12%	235 16%	256 17%	1 <1%	2 <1%	1 <1%	2 <1%	1,551 66%	711 43%	221 15%	270 18%

<sup>10</sup> Caution should be exercised interpreting data in cells with fewer than 30 cases.

The increased attention to romantic relationship cases is clear from the results of disposition analysis shown in Table 8. Using the romantic relationship indicator provided by the Minneapolis City Attorney's office, we found that half of the romantic relationship cases in Minneapolis in 2001 were convicted, as compared with only 30% of the non-romantic relationship cases.

**Table 8. Minneapolis 2001 Disposed Cases Only, Dispositional Analysis by Relationship Type**

	<i>Pled/Found Guilty</i>	<i>Continued for Dismissal</i>	<i>Acquittal</i>	<i>Dismissal</i>	<i>TOTALS</i>
<i>Non-romantic relationship cases</i>	118	43	1	238	400
	29.5%	10.8%	<1%	59.5%	100%
<i>Romantic relationship cases</i>	630	155	1	473	1,259
	50%	12.3%	<1%	37.6%	100%

**Summary of Case Processing and Disposition Analysis**

- *Minneapolis Domestic Violence Court cases are being processed more quickly than similar cases were in 1998, and much more quickly than suburban cases.*
- *Romantic relationship cases have the shortest length of case processing time.*
- *The conviction rate in Minneapolis has increased by nearly 20%, whereas it has dropped by 4% since 1998 in the suburbs.*
- *The conviction rate for romantic relationship cases in Minneapolis is 20% higher than the conviction rate for other Minneapolis Domestic Violence Court cases in 2001.*

## Recidivism Analysis

### *Sampling Design:*

The sample analyzed was the sample of defendants associated with the cases used in the case processing and disposition analysis, i.e., all defendants from cases filed and heard in Domestic Violence Court between January 1, 2001 and September 30, 2001. Again, we compared them with defendants from domestic violence cases that were filed and heard in Hennepin County District Court's downtown Minneapolis division in 1998, as well as defendants from cases heard during the same time frames in the suburban divisions.

To analyze recidivism, we first examined whether defendants in the sample groups had been charged with new offenses (domestic and non-domestic) during the time between the defendant's first appearance date and the date the case was disposed (i.e., pretrial recidivism).

Second, we analyzed whether defendants had been charged with new offenses within nine months of their disposition date. In both the pretrial and the post-disposition analysis of new offenses, new offenses were defined as new "charged" offenses. Since misdemeanors can be charged by law enforcement with no prosecutor approval (i.e., see description of tab charging on page 6), this analysis is somewhere between analysis of new arrests and analysis of new charges. We standardized the time period at nine months from first appearance date for each individual person. In other words, a defendant whose first appearance occurred in January 2001 had no greater "chance" to be charged with a new offense during the study period than someone whose first appearance was in September 2001.

Third, we analyzed new convictions for all defendants in the sample groups, by following the new cases occurring within nine months that resulted in a conviction.

Again, we standardized the time period so that each defendant had an equal chance of having a new conviction within the study period.

And finally, we assessed whether the number of *prior* domestic assault convictions for each defendant had an impact on new domestic assault offenses. We expected the number of prior offenses to significantly predict recidivism based on prior research knowledge regarding the chronic nature of domestic assault.<sup>11</sup> Our analysis of prior convictions was limited in two ways: it only included Hennepin County convictions, and it only included eight years of data. In short, we counted Hennepin County prior convictions back as far as 1990 for defendants whose domestic assault case (that brought them into the study) occurred in 1998, and back as far as 1993 for the 2001 defendants.

### **Results of Recidivism Analysis**

In Minneapolis in 2001, 1,422 people represented the 1,699 cases, as compared with 2,098 people representing the 2,391 cases in 1998. Defendants who were in both the 1998 and the 2001 samples were only counted once, as part of the 1998 sample, since the 2001 case would technically be recidivism.<sup>12</sup> These figures are shown in Table 9.

**Table 9. How Many Defendants (i.e., People) Were in Each Sample?**

	<b>1998</b>	<b>2001</b>
<b>Minneapolis</b>	2,098 people 60.5%	1,422 people 52.3%
<b>Suburbs</b>	1,371 people 39.5%	1,296 people 47.7%
<b>TOTAL</b>	3,469 people 100%	2,718 people 100%

<sup>11</sup> Olson, David E. and Loretta J. Stalans. 2001. "Violent Offenders on Probation: Profile, Sentence, and Outcome Differences Among Domestic Violence and Other Violent Probationers." *Violence Against Women* 7:1164-85.

<sup>12</sup> We would not count the 2001 case as recidivism, however, unless it fell within the nine month window of time from disposition on the 1998 case.

Pretrial recidivism has decreased slightly in Minneapolis since the start of Domestic Violence Court (see Table 10). Approximately 8% of the 2001 domestic assault defendants have some new offense charged before the disposition on their current case but after they have had their first appearance and are thus already involved in the court process. This figure was over 9% in 1998.

**Table 10. Pre-Trial Recidivism:  
How Many Defendants Were Charged with at Least One New Case of  
Any Type Charged After Arraignment but Before Disposition?**

	<i>1998</i>	<i>2001</i>
<i>Minneapolis</i>	197 (out of 2,098) people 9.4%	112 (out of 1,422) people 7.9%
<i>Suburbs</i>	110 (out of 1,371) people 8.0%	123 (out of 1,296) people 9.5%

Less than 3% of these defendants have a new domestic assault offense charged during this window of time between arraignment and disposition compared to 4% in 1998 (see Table 11).<sup>13</sup> In the suburbs, however, both pretrial recidivism as a whole and pretrial domestic assault recidivism appear to have increased since 1998. The average number of new pretrial cases per person (for those who were charged with at least one new case) was fairly constant at just over one case per person.

<sup>13</sup> This analysis does not control for pretrial incarceration time for two reasons. First, because the amount of bail set for misdemeanor domestic assault defendants has remained steady at \$1200 for many years, we had no reason to believe that either sample would be incarcerated for a longer average number of days than the other. In short, controlling for pretrial incarcerative time would not contribute anything to the analysis. Second, suburban defendants are incarcerated at city jails, for which we do not have any data. Thus, we would not be able to make a valid comparison between Minneapolis and the suburbs on pretrial incarceration.



**Table 11. Pretrial Recidivism:  
How Many Defendants Were Charged with at Least One New  
DOMESTIC ASSAULT CASE Charged After Arraignment but Before  
Disposition?**

	<i>1998</i>	<i>2001</i>
<i>Minneapolis</i>	85 (out of 2,098) people 4.1%	41 (out of 1,422) people 2.9%
<i>Suburbs</i>	43 (out of 1,371) people 3.1%	53 (out of 1,296) people 4.1%

Defendants in Minneapolis are less likely to be charged with a new offense within nine months of disposition since the beginning of Domestic Violence Court. In 1998, nearly 36% of all domestic violence defendants were charged with some new offense within nine months, whereas in 2001 that percentage dropped to just over 33% (see Table 12). Minneapolis defendants are still more likely to be charged with a new offense than suburban defendants, but this is true in all areas of the court, and usually relates to the geographic and socioeconomic differences between urban and suburban defendants.

**Table 12. Post-Disposition Recidivism:  
How Many Defendants Were Charged with at Least One New Case of  
Any Type Charged Within Nine Months After Disposition?**

	<i>1998</i>	<i>2001</i>
<i>Minneapolis</i>	745 (out of 2,098) people 35.5%	471 (out of 1,422) people 33.1%
<i>Suburbs</i>	339 (out of 1,371) people 24.7%	348 (out of 1,296) people 26.9%

Perhaps most importantly, the new Domestic Violence Court seems to be having a positive impact on the rate of recidivism for new domestic assault offenses, as seen in Table 13. Just under 14% of defendants who came through Domestic Violence Court in 2001 had a new domestic assault within nine months, as compared with nearly 18% in

1998. Again, the Minneapolis recidivism rate was higher than the suburbs, but only by one percentage point.

**Table 13. Post-Disposition Recidivism:  
How Many Defendants Were Charged with at Least One New  
DOMESTIC ASSAULT CASE Charged Within Nine Months After  
Disposition?**

	<i>1998</i>	<i>2001</i>
<i>Minneapolis</i>	371 (out of 2,098) people 17.7%	196 (out of 1,422 people) 13.8%
<i>Suburbs</i>	140 (out of 1,371) people 10.2%	166 (out of 1,296) 12.8%

The average number of new offenses associated with domestic assault defendants (for all those defendants who were charged with at least one new offense) remained constant at just under two new offenses per person within nine months. Tables 14 and 15 show the breakdown of how many new offenses (all offenses, and new domestic assault offenses) were alleged within nine months from disposition for each defendant in the study.

**Table 14. How Many New Offenses of Any Kind were Defendants  
Charged With Within 9 Months of Disposition?**

		<i>Minneapolis</i>		<i>Suburbs</i>	
		<i>1998 (2,098 people)</i>	<i>2001 (1,422 people)</i>	<i>1998 (1,371 people)</i>	<i>2001 (1,296 people)</i>
0 cases	# defendants	1,353	951	1,032	948
	<i>Cumulative %</i>	<i>64.5%</i>	<i>66.8%</i>	<i>75.3%</i>	<i>73.1%</i>
1 case	# defendants	432	280	236	231
	<i>Cumulative %</i>	<i>85.1%</i>	<i>86.5%</i>	<i>92.5%</i>	<i>90.9%</i>
2 cases	# defendants	177	104	68	61
	<i>Cumulative %</i>	<i>93.5%</i>	<i>93.8%</i>	<i>97.5%</i>	<i>95.6%</i>
3 cases	# defendants	69	40	23	33
	<i>Cumulative %</i>	<i>96.8%</i>	<i>96.6%</i>	<i>99.2%</i>	<i>98.1%</i>
4 cases	# defendants	33	24	7	13
	<i>Cumulative %</i>	<i>98.4%</i>	<i>98.3%</i>	<i>99.7%</i>	<i>99.1%</i>
5 or more cases	# defendants	34	23	6	9
	<i>Cumulative %</i>	<i>100%</i>	<i>99.9%</i>	<i>100%</i>	<i>99.8%</i>

**Table 15. How Many New DOMESTIC ASSAULT Offenses were Defendants Charged With Within 9 Months of Disposition?**

		<i>Minneapolis</i>		<i>Suburbs</i>	
		1998 (2,098 people)	2001 (1,422 people)	1998 (1,371 people)	2001 (1,296 people)
0 cases	# defendants	1,727	1,226	1,231	1,130
	<i>Cumulative %</i>	<b>82.3%</b>	<b>86.2%</b>	<b>89.8%</b>	<b>87.2%</b>
1 case	# defendants	288	152	116	126
	<i>Cumulative %</i>	<b>96.0%</b>	<b>96.9%</b>	<b>98.3%</b>	<b>96.9%</b>
2 cases	# defendants	59	37	20	32
	<i>Cumulative %</i>	<b>98.8%</b>	<b>99.5%</b>	<b>99.8%</b>	<b>99.4%</b>
3 cases	# defendants	16	5	3	6
	<i>Cumulative %</i>	<b>99.5%</b>	<b>99.8%</b>	<b>99.9%</b>	<b>99.8%</b>
4 cases	# defendants	6	2	0	1
	<i>Cumulative %</i>	<b>99.8%</b>	<b>99.9%</b>	<b>99.9%</b>	<b>99.9%</b>
5 cases	# defendants	2	0	1	1
	<i>Cumulative %</i>	<b>99.9%</b>	<b>99.9%</b>	<b>100%</b>	<b>100%</b>

As seen in Table 16, there has been a definite drop in the recidivism rate that is based on new convictions for Minneapolis cases since the start of Domestic Violence Court. In 1998, nearly 18% of all Minneapolis defendants who had a domestic violence case resolved had a new conviction for some other offense within nine months. In 2001, that figure dropped to 15% of defendants with a new conviction. The percentages for new domestic assault convictions (Table 17) within nine months barely changed.

**Table 16. Post-Disposition Recidivism:  
How Many Defendants Were CONVICTED of At Least One New  
Offense of Any Type Within Nine Months of Disposition?**

	1998	2001
<i>Minneapolis</i>	374 (out of 2,098) people 17.8%	214 (out of 1,422) people 15.0%
<i>Suburbs</i>	176 (out of 1,371) people 12.8%	154 (out of 1,296) people 11.9%

**Table 17. Post-Disposition Recidivism:  
How Many Defendants Were CONVICTED of At Least One New  
DOMESTIC ASSAULT Within Nine Months of Disposition?**

	<i>1998</i>	<i>2001</i>
<i>Minneapolis</i>	103 (out of 2,098) people 4.9%	67 (out of 1,422) people 4.7%
<i>Suburbs</i>	56 (out of 1,371) people 4.1%	57 (out of 1,296) people 4.4%

Another way to study recidivism empirically is to perform correlation analyses. Bivariate correlations calculate a number known as a correlation coefficient, along with its level of statistical significance, in order to measure how variables are related. To see whether there is a verifiable relationship between the existence of Domestic Violence Court and a reduction in recidivism, we ran bivariate correlation tables for each scenario (i.e., pretrial new charges, post-disposition new charges, and post-disposition new convictions). Correlation coefficients can range anywhere from 0 to 1.0. The closer the correlation coefficient is to 1.0 the more confident we can be that the two indicators are related to one another. In other words, a .75 correlation indicates that two variables are highly related to one another, although no causality is indicated. If, for example, a study determines that there is .75 correlation between salary and education level, we do not know whether education predicts salary or vice versa.

Besides indicating magnitude, correlations also indicate the direction of a relationship. Again, using the example above, a positive correlation of .75 between salary and education indicates that as one variable increases, so does the other (i.e., as education rises, so does salary level). In terms of criminal data such as we are reporting here, the more prior convictions a defendant has, the more we would expect the defendant to be charged with and/or convicted of new offenses as well.

We ran these correlation tables for Minneapolis only, to see whether the year of the defendant's initial case (1998 v. 2001) made any difference in terms of recidivism.

We found the relationship between sample year and new post-disposition offenses charged to be statistically significant (see Table 18). Although the relationship is weak at -.05, it is in the negative direction. This indicates that what we hoped to be true is true; that an empirical relationship exists between exposure to Domestic Violence Court and decreased propensity to be charged with new domestic assaults after disposition.

**Table 18. Correlations between Exposure to Domestic Violence Court and Recidivism for Minneapolis**

	<i>Correlation with Year of Defendant's Original Case</i>
<i>New Domestic Assault Case During Pretrial Period</i>	-.03
<i>New Domestic Assault Case within 9 Months of Disposition</i>	-.05**
<i>New Domestic Assault Conviction within 9 Months of Disposition</i>	-.01

\*\*Correlation is statistically significant at  $p < .01$ , meaning that there is less than a 1% probability that the observed relationships occurred by chance.

The correlations between number of prior convictions and new offenses were statistically significant in all three scenarios (see Table 19). The observed relationships between prior convictions and new charges (both pretrial and post-disposition) were relatively strong as well, at .38 and .37 respectively. This corroborates our assumption that those defendants with a lengthy history of domestic assault convictions are most likely to re-offend, regardless of whether or not they were exposed to an intervention such as domestic violence court.

**Table 19. Correlations between Prior Domestic Assault Convictions and Recidivism for Minneapolis**

	<i>Correlation with Number of Prior Convictions</i>
<i>New Domestic Assault Case During Pretrial Period</i>	.38***
<i>New Domestic Assault Case within 9 Months of Disposition</i>	.37***
<i>New Domestic Assault Conviction within 9 Months of Disposition</i>	.08***

\*\*\*Correlations are statistically significant at  $p < .001$ , meaning that there is less than a 0.1% probability that the observed relationships occurred by chance.

We investigated whether the new domestic assault recidivism rate for romantic relationship cases would be higher or lower than for those cases where the relationship between defendant and victim was something other than romantic. To do this, we disaggregated the Minneapolis 2001 cases into romantic and non-romantic, based on the indicator provided by the Minneapolis city attorney's office. On the one hand, we hoped that the increased focus on these types of cases would reduce the recidivism rate. Realistically, however, we knew that because these cases are being watched more closely, the recidivism rate might actually increase as a result of Domestic Violence Court. In addition, we are aware that the dynamics involved in the romantic relationship cases consistently make them the most difficult to influence in terms of recidivism outcomes.

We did find that domestic violence recidivism rates for romantic relationship cases were higher across the board (see Table 20). Although we do not have a romantic relationship "flag" for either the suburban cases or the 1998 cases, it is most likely safe to assume that the difference in recidivism between romantic and non-romantic relationship cases would be even greater for cases that did not go through Domestic Violence Court given all of the previous findings. The increased services provided for these cases, as well

as the expedited case processing and higher conviction rates, indicates that while Domestic Violence Court may still have some work to do surrounding romantic relationship cases, the improvements made thus far have this court heading in the right direction.

**Table 20. Minneapolis 2001 Disposed Cases Only,  
Recidivism Analysis by Relationship Type**

	<i>New Domestic Assault Case During Pretrial Period</i>	<i>New Domestic Assault Case within 9 Months of Disposition</i>	<i>New Domestic Assault Conviction within 9 Months of Disposition</i>
<i>Defendants not involved in romantic relationship with victim (345 people)</i>	7 people 2%	24 people 7%	3 people <1%
<i>Defendants involved in romantic relationship with victim (1,077 people)</i>	34 people 3.2%	172 people 16%	64 people 5.9%

The final analysis we did surrounded the use of the Domestic Violence Screening Instrument (DVSI). The DVSI is a screening tool used by the Hennepin County Community Corrections Department. (See Appendix A for a copy of the DVSI). The purpose of the DVSI is to identify domestic violence defendants who are at risk to be charged with new domestic violence offenses. Those defendants identified by the DVSI as being "high risk" are then given the Spousal Assault Risk Assessment (SARA) by the probation officer assigned to supervise the defendant post-conviction. The SARA provides a more detailed assessment of probationer risk to re-offend, and thus aids the probation department in case planning.

Because the DVSI is currently being given to all in-custody domestic violence defendants prior to their first appearance in court, we decided to see whether or not the results of this risk assessment had any relationship to actual defendant recidivism. If the

DVSI was found to predict recidivism, we would encourage its use as another tool for the judges in making decisions regarding these cases. We had valid DVSI data on 451 Minneapolis defendants and 429 suburban defendants in 2001.

The highest number of points an offender can receive on the DVSI is 30. Currently, probation staff are using a score of nine or greater to identify clients as high-risk. Our analysis supported this cut-off, as those offenders who had new pretrial domestic assault cases had an average DVSI score of 9.5, as compared with an average score of 6.5 for those defendants who did not have a new pretrial domestic assault charge. Similarly, those defendants with a new domestic assault charge post-disposition scored an average of 8.9 on the DVSI, as compared with an average of 6.1 for those with no new domestic assault charges. The average DVSI score for those who had a new domestic assault that resulted in a conviction was 9.8, as compared with 6.3 for those with no new domestic assault convictions.

We analyzed correlations between a higher DVSI score and recidivism, and found that there was a statistically significant relationship between the two. Except for the relationship between DVSI scores and pretrial recidivism in the suburbs (which was not statistically significant), all the correlations between the DVSI and recidivism computed to approximately .20 and in the positive direction, indicating that those with a higher DVSI score are indeed more likely to be charged with a new domestic assault offense (see Table 21). Although the correlation coefficients are moderate, the relationships are strongly statistically significant, which means that a very small percentage of what is observed can be explained by mere chance.



**Table 21. Correlations Between DVSI Scores and Recidivism for 2001 Cases**

	<i>Correlation with DVSI Score for Minneapolis cases</i>	<i>Correlation with DVSI Score for Suburban cases</i>
<i>New Domestic Assault Case During Pretrial Period</i>	.16**	.10
<i>New Domestic Assault Case within 9 Months of Disposition</i>	.21***	.23***
<i>New Domestic Assault Conviction within 9 Months of Disposition</i>	.18***	.21***

\*\*The correlation for new domestic assault cases charged during the pretrial period and Minneapolis defendants' DVSI scores is statistically significant at  $p < .01$ , meaning there is less than a 1% probability that the observed relationships occurred by chance. However, the same correlation for suburban cases did not produce statistical significance.

\*\*\*The rest of the correlations in this table (for both Minneapolis and suburban defendants) are statistically significant at  $p < .001$ , meaning there is less than a 0.1% probability that the observed relationships occurred by chance.

#### Summary of Recidivism Analysis

- *Pretrial new charges in Minneapolis are down slightly since 1998.*
- *Post-disposition new charges in Minneapolis are down 3%.*
- *Post-disposition new domestic assault charges in Minneapolis are down 4%.*
- *Post-disposition new convictions in Minneapolis are down 3%.*
- *The rate of post-disposition new domestic assault convictions has not changed in Minneapolis.*
- *Recidivism in the suburbs rose in all scenarios except new convictions (where it was stable).*
- *Recidivism rates for defendants involved in a romantic relationship with their victims were higher than for non-romantic relationships.*

- *There is a statistically significant correlation between involvement in domestic violence court and lower post-disposition recidivism for defendants.*
- *There is a statistically significant correlation between a higher score on the DVSI and a higher recidivism rate for defendants.*